



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Matthew During *et al.*
Application No: 09/863,179
Filing Date: May 23, 2001
Entitled: Glutamic Acid Decarboxylase
(GAD) Based Delivery Systems
Atty. Docket No: 102182-12
Confirmation No: 9640

Group Art Unit: 1632

Examiner: A.M. Falk

RECEIVED
NOV 18 2003
TECH CENTER 1600/2900

Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service Post Office as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

<u>Nov. 12, 2003</u>	By:
Date of Signature and Mail Deposit	George A. Xixis Reg. No. 38,664

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE

In response to the Office Action mailed September 26, 2003, and the Examiner Interview of October 24, 2003, Applicant submits the following Amendments to the Claims, Remarks and Declaration of Michael Kaplitt, M.D., Ph.D.. Pursuant to 37 CFR 1.114 and MPEP 706.07(h) a Request for Continued Examination (RCE) is being filed herewith. A check for the fee is enclosed. The Commissioner is hereby authorized to charge any deficiencies in the required Fees to Deposit Account No. 141449. In accordance with the new format for amendments, a complete listing of the pending claims (with markings to show current changes) is attached.



61

PTO/SB/30 (09-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Request For Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number 09/863,179

Filing Date May 23, 2001

First Named Inventor Matthew During et al

Art Unit 1632

Examiner Name A.M. Falk

Attorney Docket No. 102182-12

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
 - a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ii. Other _____
 - b. Enclosed
 - i. Amendment and Response
 - ii. Declaration of Dr. Michael Kaplitt with Exhibits A-F
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____
2. **Miscellaneous**
 - a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
 - b. Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
 - a. The Director is hereby authorized to charge any underpayments or credit any overpayments, to Deposit Account No. 141448
 - ii. Extension of time fee (37 CFR 1.136 and 1.17)
 - ii. Other _____
 - b. Check in the amount of \$ 770.00 is enclosed for RCE fee.
 - c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	George A. Xixis	Registration No. (Attorney/Agent)	38,664
Signature		Date	Nov. 12, 2003

11/17/2003 ANONDAF1 00000126 09863179

01 FC:1801
02 FC:1201
03 FC:1202

1273051.1 770.00 OP

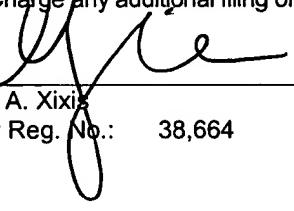
172.00 OP

288.00 OP

RECEIVED
TECH CENTER
NOV 18 2003
1600/2900

#RCG
1632



AMENDMENT TRANSMITTAL LETTER				Docket No. 102182-12																																											
Application No. 09/863,179	Filing Date May 23, 2001		Examiner A.M. Falk	Art Unit 1632																																											
Applicant(s): Matthew During et al.																																															
RECEIVED Invention: Glutamic Acid Decarboxylasae (GAD) Based Delivery System NOV 18 2003																																															
TO THE COMMISSIONER FOR PATENTS Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.																																															
<table border="1"> <thead> <tr> <th colspan="6">CLAIMS AS AMENDED</th> </tr> <tr> <th></th> <th>Claims Remaining After Amendment</th> <th>Highest Number Previously Paid</th> <th>Number Extra Claims Present</th> <th>Rate</th> <th></th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>41</td> <td>- 25 =</td> <td>16</td> <td>x 18</td> <td>\$288.00</td> </tr> <tr> <td>Independent Claims</td> <td>5</td> <td>- 3 =</td> <td>2</td> <td>x 86</td> <td>\$172.00</td> </tr> <tr> <td colspan="5">Multiple Dependent Claims (check if applicable) <input type="checkbox"/></td> <td></td> </tr> <tr> <td colspan="5">Other fee (please specify):</td> <td></td> </tr> <tr> <td colspan="5">TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</td> <td>\$460.00</td> </tr> </tbody> </table>						CLAIMS AS AMENDED							Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate		Total Claims	41	- 25 =	16	x 18	\$288.00	Independent Claims	5	- 3 =	2	x 86	\$172.00	Multiple Dependent Claims (check if applicable) <input type="checkbox"/>						Other fee (please specify):						TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					\$460.00
CLAIMS AS AMENDED																																															
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate																																											
Total Claims	41	- 25 =	16	x 18	\$288.00																																										
Independent Claims	5	- 3 =	2	x 86	\$172.00																																										
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>																																															
Other fee (please specify):																																															
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					\$460.00																																										
<p><input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity</p> <p><input type="checkbox"/> No additional fee is required for this amendment.</p> <p><input checked="" type="checkbox"/> A check in the amount of \$ 460.00 is enclosed for extra claims fee.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 141449 as described below. A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> Credit any overpayment.</p> <p><input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.</p>																																															
<p> George A. Xixis Attorney Reg. No.: 38,664</p> <p>Dated: <u>Nov. 12, 2003</u></p>																																															
1273102.1																																															